

KOREAN VETERANS' MILITARY PAY FUND ACT OF 1955 (EXCERPT)
Act 8 of 1955

35.972 Korean veterans' military pay fund act; definitions.

Sec. 2. As used in this act:

(a) "Period of service" means the period of time between June 27, 1950, and December 31, 1953.

(b) "Veteran" means each man or woman who served honorably and faithfully for more than 60 days in the military, naval, marine or coast guard forces of the United States, at any time during the period of service, and who was a resident of the state of Michigan at the time of entering such service or on June 27, 1950, and for at least 6 months immediately prior thereto, and who has not applied for and received similar payments from another state.

(c) "Beneficiary" means, in relation to a deceased veteran, the surviving husband or wife, child or children, or the surviving mother, father, person standing in loco parentis, brothers and sisters, in the order named, which determination may be made by the probate court of the county of residence of the veteran at the time of death on petition of the adjutant general.

(d) "Honorable and faithful service" shall be such service as is evidenced by (1) an honorable discharge, or (2) in the case of an officer, a certificate of service, or (3) in the case of a veteran who has not been discharged, a certificate from appropriate service authority that his service was honorable and faithful. Time lost while absent without leave, in desertion, in confinement while undergoing the sentence of a court martial or time lost while in a non-duty status because of disease contracted through the veterans' own misconduct shall not be construed as faithful service.

(e) "Foreign service" means military service by a veteran during the period of service anywhere outside of any state of the United States and the District of Columbia.

(f) "Domestic service" means military service by a veteran during the period of service in any state of the United States and the District of Columbia.

(g) "Adjutant general" means the adjutant general of the state of Michigan.

(h) "Board" means the state administrative board.

(i) "Resident" means a person who has acquired a status as follows:

(1) Was born in and lived in the state of Michigan until entrance into the armed forces of the United States;

or

(2) Was born in, but was temporarily living outside the state of Michigan, not having abandoned residence therein prior to entrance into the armed forces of the United States; or

(3) Was born elsewhere but had resided within the state of Michigan for at least 6 months immediately prior to entrance into military service, or June 27, 1950, and had prior to or during such 6 months' period

(a) Registered for voting in the state of Michigan, or

(b) Being an unemancipated minor, who shall not be emancipated as defined in section 27 of chapter 2 of Act No. 146 of the Public Acts of 1925, being section 402.27 of the Compiled Laws of 1948, during such period of residence had lived with a parent or person standing in loco parentis who had acquired a residence as set forth in sub-paragraphs (1), (2), (3) (a), (3) (b) or (3) (c) of this subsection (i), or

(c) If not registered for voting in the state of Michigan, was not registered for voting in another state: Provided, That applications filed under this act which have been rejected by the adjutant general because of noncompliance with the foregoing requirement shall be eligible for allowance despite such noncompliance if the applicant had not voted in another state within 6 months prior to entering the service, or June 27, 1950, and had resided in the state of Michigan for at least 6 months immediately prior to entrance into the armed forces of the United States, or June 27, 1950; or

(4) No information appearing on the discharge of the veteran which shows "permanent address for mailing purposes", "address from which employment will be sought", and "home address at time of entry into service", in another state, shall necessarily be construed to mean that the veteran thereby intended to abandon his residence in the state of Michigan for the purpose of this act.

(5) In all other cases than those outlined under sub-paragraphs (1), (2) and (3) of this subsection (i) complies with the residence requirements set forth in section 26 of article 10 of the state constitution, in accordance with the rules and regulations of the board.

History: 1955, Act 8, Imd. Eff. Mar. 7, 1955;—Am. 1956, Act 160, Imd. Eff. Apr. 16, 1956.

Compiler's note: In subdivision (i)(5) of this section, "section 26 of article 10 of the state constitution" refers to the Constitution of 1908. See now Const. 1963, Art. IX, § 15, and Schedule, § 13.